

The Oregonian.

PORTLAND, THURSDAY, MAY 21, 1885.

THE NEW JURY LAW INVALID.

A special telegram to THE OREGONIAN from Salem reports that the supreme court had held the jury law enacted by the legislature at its recent session to be invalid. The question came up on a case appealed from this court, for the purpose of testing the new law, and it decides that for our session of state court in our county, grand juries shall be drawn by the clerk and sheriff, not more than twenty days nor less than ten days before the first day of session upon which they are to report, and that trial juries be called on the fourth day of session, and further, that if the grand jury fail to fill from the first call, the sheriff shall draw from the body of the county. This law was drafted by Judge P. P. Price, member of the state senate from Jackson county, and its purpose was to reduce the cost of juries, and to shorten the time of trial. The old law required the attendance of the full jury list from the first day of session, and that the grand jury be drawn from its members. Judge Price's idea was that to call the trial juries on the fourth day of court session would save the charge of maintaining them during the first three days which are commonly devoted to grand jury and other preliminary work, and during which they have nothing whatever to do. The saving, Judge Price thought, would be an average of \$300 per year for each county in the state.

The new law, though against the law and which has been established, was based upon a provision in the state constitution, which, after empowering the legislature to "abolish or modify" the jury system, provides that grand juries shall be drawn from juries "in attendance upon the court." It was a question whether, under the authority to "modify," the legislature could change the manner of drawing grand juries, and if such change (organization, and rules regarding procedure) did not "abolish" within the meaning of the constitution. The supreme court holds negative, and this settles the question.

From reading English newspapers, now arriving, we suppose, it will be decided to be binding to sit in at the grand jury.

There are two other changes which may be made, let them accept the invitation of the commissioners to appear, with evidence and proofs in hand. In the meantime let each county give an unequivocal support to the state board, by the use of immigration literature and the appointment of an agent, to reside at the county seat, or at some convenient railway town, to whom the board here can send new-comers, confident that they will meet a cordial welcome and fair treatment. There is no occasion for any other action on the part of counties or papers.

is carried on with special reference to the interest of the state as a whole and the interest for whose benefit it was created. Friends are at hand to show that this商量 is not to be had, and that the property of the state is not to be had, and this fact can be ascertained by any citizen who thinks it worth his while to spend a little time at the rooms to see and hear. This is the testimony of trustworthy and disinterested people. The transactions of the board are open to all. Nothing is under a bushel. The rulings of the board may not please all; it is not likely that such a thing would be possible, but we are satisfied, and so is the general public, that in these rulings the empire of the board is not to be had, and that the public is being done by the group of an iron hand.

A real estate dealer in a certain quarter may not think this, a country agent, who has a praiseworthy ambition to make a "showing" for his salary, may not endorse the action of the commissioners, but the general public, paying for immigration services, and rightfully expecting good results for the state as a whole, have very little interest in the opinion of these critics. Meanwhile, the commissioners do the proper thing in meeting these criticisms with a frank and open admission of their error.

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MR. RAILLARD'S MISTAKE.

It is worth nothing, at least, for its application that the members of the cabinet whose selection was welcomed by the country as the best made by the president is chargeable with the worst mistakes thus far made by the administration.

Mr. Bayard was popularly regarded as one of the ablest statesmen in the democratic party, and his long familiarity with public affairs and large acquaintance with public men were supposed to have fitted him above any member of the cabinet, and much more than the president, for the duties of administering the government.

Most of the members for diplomatic service by Mr. Bayard were less than personal friends, and he was as much in need of assistance as any cabinet member.

He was regarded by his friends as a man of great personal tact, and of opinion that the inability of the male members of the new law affects it as a whole, that the repealing clause, being simply in furtherance of the law, would be held of no effect, the law itself being of no effect. "Such," said Mr. Gearin, district attorney, "has always been the construction of courts. The decision at Salem, while putting the new law aside, revives the old and we shall proceed under it on the opening of court to-morrow morning."

The failure of Judge Price's effort to get down the new law, and to be reported on the whole we believe to be for the best. Judge Price's plan of drawing grand juries would put a great and dangerous authority in the hands of clerks and sheriffs. Under it they would have the power to "fix" grand juries as they saw fit. The old law has given them more power in the matter than has proved for the public good, and no consideration of economy, we believe, could compensate for adding to it.

BURNING IMPATIENCE.

Legan's effort to the share, brought about by the "capture" of a legislative district through the apathy of the democrats, was foreshadowed when that event was first reported and it set many of the democratic organs throughout the country upon the task of accounting for it. Most of them admitted that the administration has been in the matter of "helping the party." According to their logic, the democrats of the state and the nation are to be blamed for the failure to do their duty in this matter.

The Illinois legislature is continuing a hard fight with the party of "no effect." The legislative session is now adjourned, and the party of "no effect" has given up the fight.

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AR AUCTION SALE
OLD FURNITURE

1885, MAY 22, 1885.

OLD FURNITURE

of every description.

ITEMS & CO.

TION SALE

le Real Estate,

JUNE 20, at 11 A. M.

100 Washington street,

action known to the

JONES PLACE.

Add to the East Portland, one

room, a kitchen, a

the property two houses,

each having two rooms,

driveway, a

garage, a

shed, a

